

**NINE-POINT CRITERIA ANALYSIS
OF
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC) ON BEHALF OF THE
DEPARTMENT OF HEALTH AND SERVICES (DHS)

REGARDING THE 2003 UNIFORM MECHANICAL CODE.
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

Building standards submitted to the California Building Standards Commission for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.

The proposed building standards do not conflict with, overlap or duplicate other building standards. The California Building Standards Commission (CBSC) on behalf of Department of Health Services (DHS) is proposing only the adoption of the Uniform Mechanical Code (UMC) unamended as part of Title 24, Part 4.

2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.

DHS is the state agency enabled by legislation to adopt model codes for occupancies applicable to the Department of Health Services.

3) The public interest requires the adoption of the building standards.

The adoption of these regulations is required in order for CBSC to fulfill the legislative mandate requiring the adoption of the most recent edition of model codes for use by Consumer Affairs.

4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.

The proposed regulations are not unreasonable, arbitrary, unfair or capricious, in whole or in part. The California Building Standards Commission is proposing the adoption of the most recent edition of the Uniform Mechanical Code for use in Title 24, Part 4.

5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.

These proposed changes to the regulations do not impose a mandatory cost to the public.

6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.

The California Building Standards Commission is proposing only the adoption of model code for use as Title 24, Part 4. This action is not unnecessarily ambiguous or vague, in whole or in part.

7) *The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate. (Health and Safety Code Section 18930 requires a statement of inadequacy of a national specification, published standard, or model code if it does not adequately address the goals of the state agency, OR a statement informing the Commission that no national specification, published standard, or model code that is relevant to the proposed building standards exists.)*

The California Building Standards Commission is proposing only the adoption of model code for use as Title 24, Part 4. No national specification, published standard or model code provisions is related to the proposed action.

8) The format of the proposed building standards is consistent with that adopted by the Commission.

The format of the proposed building standards is consistent with the format adopted by the California Building Standards Commission for Title 24, Part 4.

9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.

The proposed building standards have been sent to the State Fire Marshal for review and approval as may be needed. CBSC understands that these proposed regulations do not promote fire and panic safety. Written notification of the decision by the State Fire Marshal to these proposed amendments has been received.